

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** David Quigley, AICP, Planning & Zoning Manager/(954)797-1103

**PREPARED BY:** Lise Bazinet, Planner II

**SUBJECT:** Delegation Application: DG 11-1-08/09-12/New Life Assembly Church/5850 SW 82<sup>nd</sup> Avenue.

**AFFECTED DISTRICT:** District 2

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "NEW LIFE ASSEMBLY CHURCH," AND PROVIDING AN EFFECTIVE DATE. (DG 11-1-08, New Life Assembly Church, 5850 SW 82 Avenue)

**REPORT IN BRIEF:** The petitioner (Pillar Consultants, Inc.) requests approval to amend the restrictive note on the plat known as "New Life Assembly Church." The existing restrictive note states:

This Plat is restricted to 90,000 S.F. of Commercial Use.

The proposed restrictive note states:

This plat is restricted to 45,000 S.F. of Church use, 15, 000 S.F. of daycare/preschool uses, 30,000 S.F. of private school uses and 165,000 S.F. ancillary parking garage.

Staff finds the proposed change to the plat known as "New Life Assembly Church" consistent with the CF, Community Facility zoning district, and the proposed uses on the subject site.

**PREVIOUS ACTIONS:** At the July 16, 2008 Town Council meeting, application (ZB 2-1-08) to rezone the subject property from B-2, Community Business District, to CF, Community Facility District was approved on second reading subject to the applicant meeting with the residents prior to SPC approval. (**Motion carried 4-1, Councilmember Caletka – no**)

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Staff finds the application complete and suitable for transmittal to the Town Council for further consideration.

**Attachment(s):** Resolution, Justification letter, Plat, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
APPROVING A DELEGATION REQUEST TO CHANGE THE  
RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "NEW LIFE  
ASSEMBLY CHURCH," AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the boundary plat known as the "New Life Assembly Church" was  
approved by Town Council on March 19, 2002.

WHEREAS, the owners desire to revise the restrictive note associated with said  
plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this  
revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN  
OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of  
the proposed revision to the restrictive note shown on the "New Life Assembly Church"  
Plat **From:** "This Plat is restricted to 90,000 S.F. of Commercial Use" **To:** "This plat is  
restricted to 45,000 S.F. of Church use, 15, 000 S.F. of daycare/preschool uses, 30,000  
S.F. of private school uses and 165,000 S.F. ancillary parking garage." The proposed  
revision being specifically described attached hereto Exhibit(s).

SECTION 2. Any improvements required to satisfy Transit Oriented  
Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and  
adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

**Exhibit (Justification Letter)**

**PILLAR CONSULTANTS, INC.**

*Consulting Engineers, Planners, Surveyors, Construction Management, General Contracting*  
5230 South University Drive – Suite 104  
Davie, Florida 33328  
Phone (954) 680-6533 Fax (954) 680-0323

**November 11, 2008**

**JUSTIFICATION STATEMENT IN SUPPORT  
OF REQUESTED PLAT NOTE AMENDMENT  
FOR MJB/DAVIE 1 PLAT, PLAT BOOK 173, PAGE 32,  
BROWARD COUNTY RECORDS**

To whom it may concern:

The subject property, as noted above, lies at the northeast corner of Stirling Road and Southwest 82<sup>nd</sup> Avenue. The existing plat is restricted as follows:

“This plat is restricted to 90,000 square feet of commercial use.”

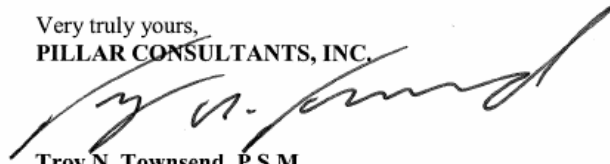
The property has subsequently been purchased by New Life Assembly of God of Broward County, Inc. Their goal is to construct a house of worship and family center. We would like to amend the plat note to allow the construction of these religious facilities as follows:

This plat is restricted to 45,000 square feet of church use, 15,000 square feet of daycare/preschool uses, 30,000 square feet of private school use, and a 165,000 square foot ancillary parking garage. Daycare/preschool uses and private school uses are not permitted with the church use.

The granting of this plat note amendment would only allow buildings to be constructed in conformance with the site plan that will appear before the Town of Davie for comment and approval.

Very truly yours,

**PILLAR CONSULTANTS, INC.**

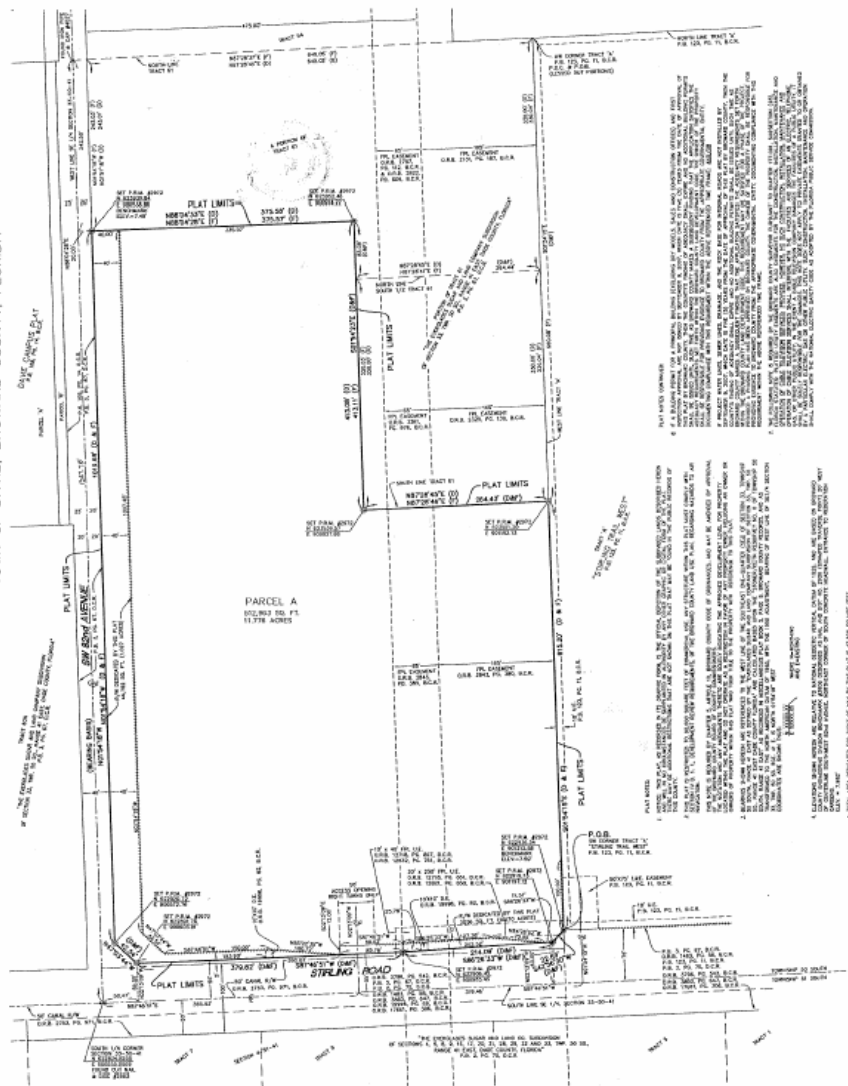


**Troy N. Townsend, P.S.M.**  
Director of Surveying



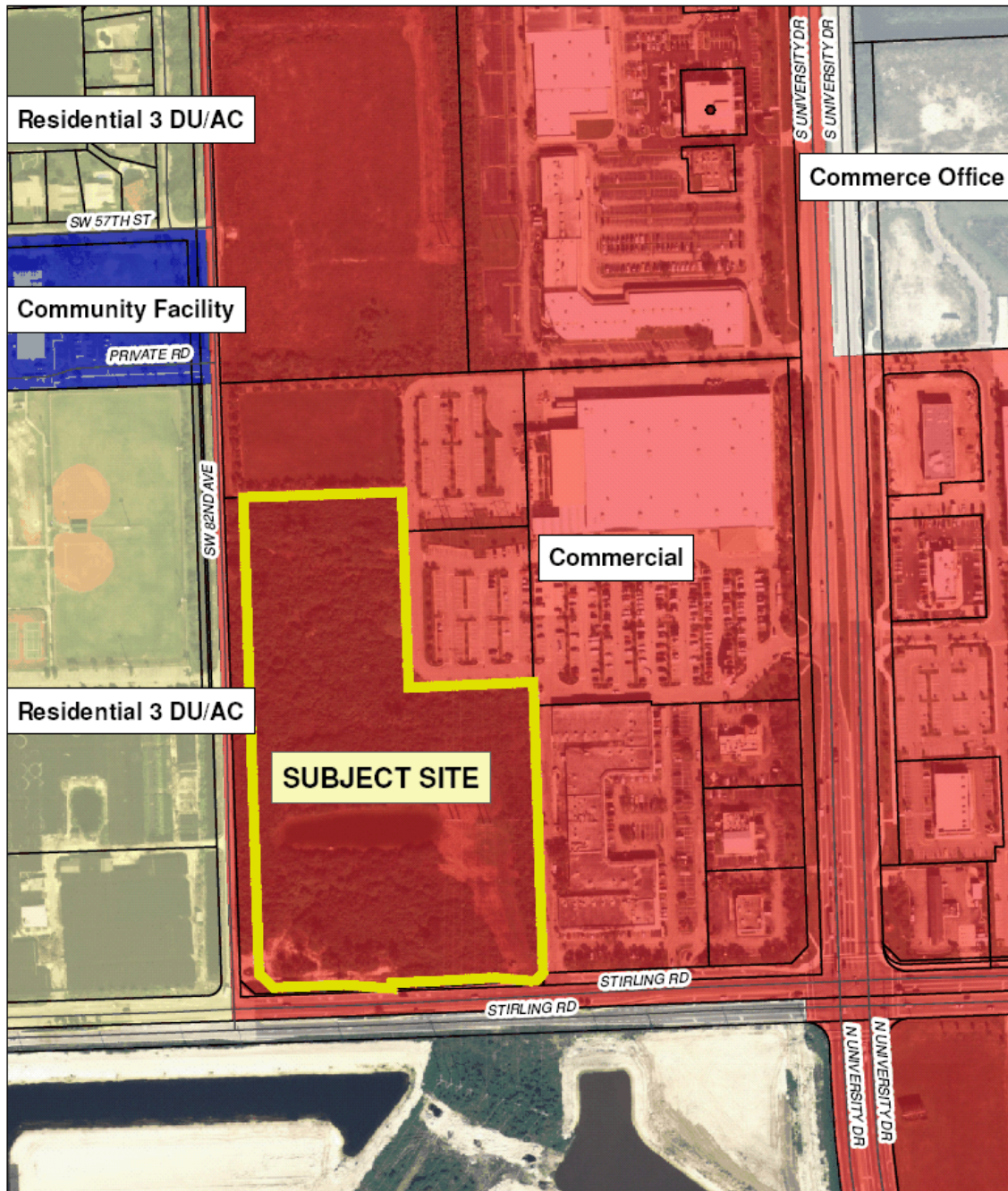
CFN #103369136  
Page 2 of 2

A PORTION OF TRACTS 61 AND 61A, SECTION 33, TOWNSHIP 50 SOUTH, RANGE 48 EAST, SWEET SUGAR AND LAND COMPANY SUBDIVISION OF SECTION 33, T1P. 50 S0, RANGE 41 EAST, T1ES, FLORIDA\*, AS RECORDED IN PLAT BOOK 3, PAGE 67 DADE COUNTY PUBLIC RECORDS.

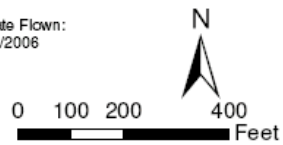


073-MP-01

**Exhibit (Future Land Use Map)**



Date Flown:  
12/2006



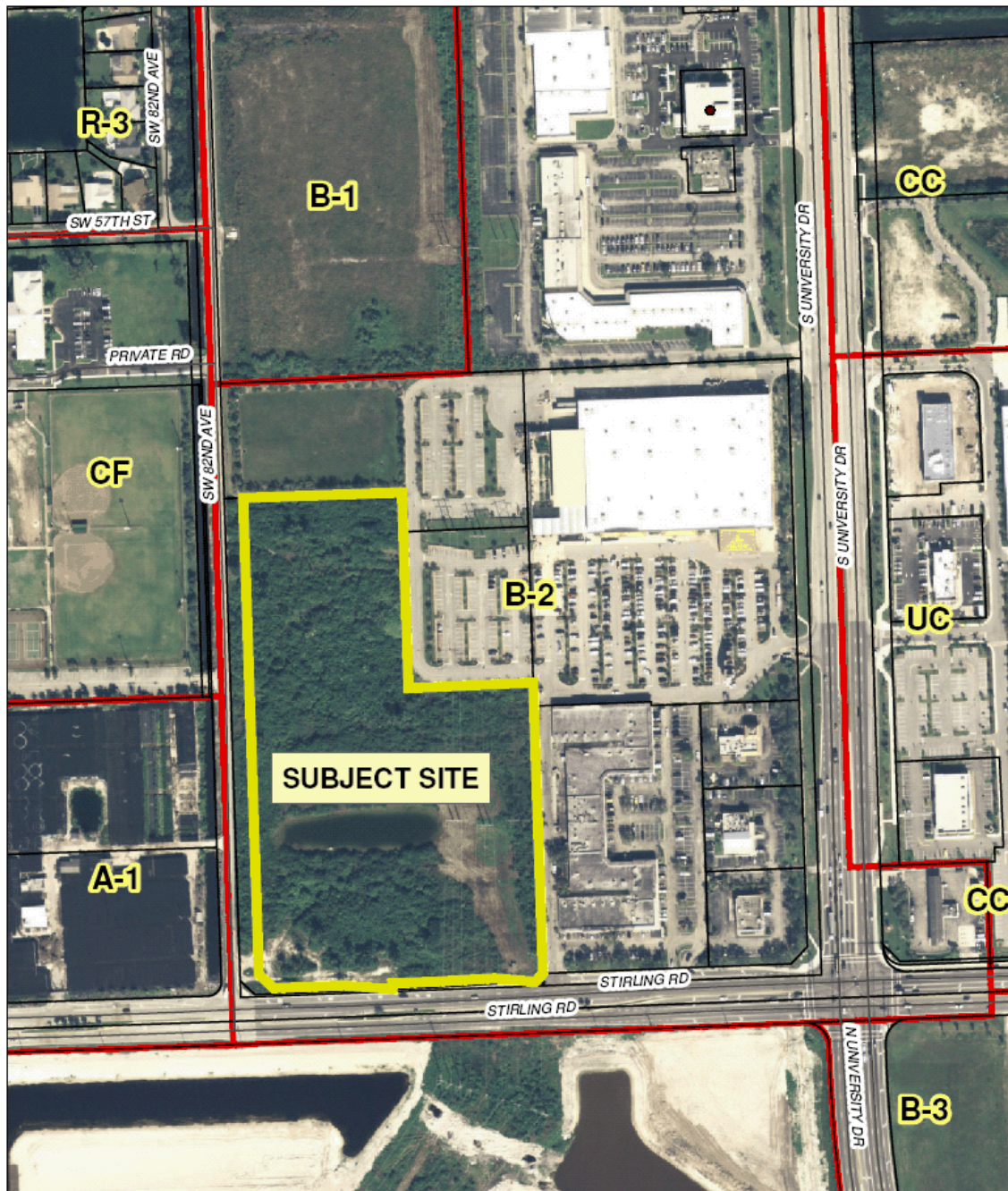
Prepared by the Town of Davie GIS Division

**Rezoning  
ZB 2-1-08  
Future Land Use Map**

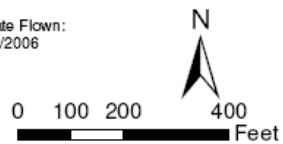
Prepared by: ID  
Date Prepared: 3/10/08



Exhibit (Aerial, Zoning, and Subject Site Map)



Date Flown:  
12/2006



Prepared by the Town of Davie GIS Division

Rezoning  
ZB 2-1-08  
Zoning and Aerial Map

Prepared by: ID  
Date Prepared: 3/10/08